

Remarks

The forgoing amendment has been made after a careful review of the present application, the references of record, and the Office Action May 28, 2004.

In the Office Action, the examiner rejected the claims under 35 USC 112 as failing to disclose in the specification that the parts are "fixedly," related to one another as set forth in the applicant's preceding amendment. Claims 1 and 10 were rejected under 35 USC 103 (a) as being unpatentable over Walsh in view of Chapman, and the remaining claims of the application were rejected under 35 USC 103 (a) as being unpatentable over Walsh in view of Chapman and in further view of one or more other references. Claim 2 was rejected as being unpatentable under the combination of Walsh, Chapman, and Wynn; claims 4, 7, and 12 unpatentable over the combination of Walsh, Chapman, and Sines; and claim 5 rejected under the combination of Walsh, Chapman, and Parra. Claims 6 and 11 were rejected under the combination of Walsh, Chapman, and Jones; and claims 8, 9, 13, and 14 under the combination of Walsh, Chapman, and Breeding.

In the forgoing amendment, the applicant has deleted the word "fixedly" from the claims to overcome the examiner's rejection under 35 USC 112. The amended claims do, however, refer to the vertical post 52 and the horizontal outwardly extending portion 54 as being portions of "a unitary member." With respect to any potential objection on behalf of the examiner under 35 USC 112, the applicant draws the examiner's attention to Fig. 1 in which the elongate

member which extends upwardly of the base 55 and includes the vertical post 52 and the horizontally extending portion 54 is made as a unitary member. To clarify the claims in this regard, paragraph 2 of page 6 of the specification has been amended to add the words "unitary member," to the description of the vertical post 52 and extension 54. Since these elements are clearly shown as a unitary member in Fig. 1, the addition of these words to the specification does not constitute new matter. The drawings were also amended to add indicia number "55" to Fig. 1.

As previously stated, claims 1 and 10 were amended to recite that the pedestal includes a base and a unitary member extending from the base, the unitary member having a vertically extending first portion and outwardly extending from the upper end of the first portion, a horizontally extending second portion. The applicant submits that the claims as amended are clearly supported by the specification and drawings as originally filed and are therefore not subject to renewal of the examiner's rejection under 35 USC 112.

The applicant hereby traverses the rejection of claims 1 and 10 under 35 USC 103 (a) as being unpatentable over Walsh and Chapman. Chapman was cited as disclosing a crane with a moveable arm which the examiner has cited as being equivalent to the vertical post 52 and the horizontal extension 54. The amended claims 1 and 10, however, set forth that the post and extension are portions of a unitary member which support a canopy 56 having a camera mounted therein over the gaming table 11. As explained on page 8 lines 5 through 16, if the gaming table 11 is exchanged for a table having a different

configuration, “a pedestal and canopy 56 suitable for use with the table of the second game can be substituted for that used in the first game.” The camera crane of Chapman, on the other hand, has an upwardly extending boom 44 with a plurality of hinges along its length, such that the boom 44 is clearly not a “unitary member” as required by amended claims 1 and 10. The applicant asserts that if the crane of Chapman were to be modified to provide a unitary boom, the crane as modified would be unsuited for the purposes for which it is intended, as recited in the specification of Chapman. Under in re Gordon 221 USBQ 1125 at 1127, it can’t be obvious to modify a device in a manner that renders it unsuited for its intended purpose and therefore, it is not obvious to provide the crane of Chapman with a unitary boom. The applicant also renews his arguments that the crane of Chapman does not constitute “a pedestal, as required by claims 1 and 10 and all those dependent upon them. In this regard, the applicant asserts that parking a mobile crane does not create “a pedestal” within the meaning of the word as defined in dictionaries including *Webster’s New Collegiate Dictionary*, for which the page containing the definition of “pedestal” is attached. Accordingly, Chapman cannot be combined with Walsh to reach the elements of amended claims 1 and 10. Accordingly, the rejection of amended claims 1 and 10 has now been overcome and must be withdrawn.

In similar fashion, the applicant traverses the rejection of the remaining claims, all of which are dependent upon either claim 1 or 10. Specifically, the applicant traverses the rejection of claim 2 as being unpatentable over the combination of Walsh, Chapman, and Wynn. Wynn discloses an audio

communication device, including a headset, but fails to disclose the elements deficient in Chapman with respect to claim 1 upon which claim 2 is dependent, and therefore the rejection of claim 2 should be withdrawn. Claims 4, 7, and 12 were rejected as unpatentable over the combination of Walsh, Chapman, and Sines. Sines had been cited by the examiner as disclosing a monitor, but like Wynn, Sines does not disclose the unitary vertically extending arm that is not shown in Chapman and is required by claims 1 and 10. Therefore, these claims define over the references cited.

Claim 5 was rejected under the combination of Walsh, Chapman, and Parra, Parra being cited as disclosing a telephone incorporated into a gaming table. Claims 6 and 11 were rejected under the combination of Walsh, Chapman, and Jones, with Jones being cited as disclosing a sensor and an alarm system needed for surveillance. Claims 8, 9, 13, and 14 were rejected under the combination of Walsh, Chapman, and Breeding with Breeding being cited as disclosing a caddy that provides the dealer with supplemental functions. None of the supplemental references, namely, Parra, Jones, and Breeding, disclose a support structure for a surveillance canopy having a unitary member extending from a base as required by the two independent claims. Therefore, all of the forgoing claims define over the references of record and are allowable.

In view of the forgoing, the applicant submits that the present application is now in condition for allowance, and favorable reconsideration and allowance is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Marsh", with a stylized flourish at the end.

Robert L. Marsh
Attorney for the Applicant
Registration No. 25894
630-681-7500
630-681-3464 (fax)

RLM:ksc

ving a pearly luster (a ~ lac
tance that occurs in the silvery
id is used in making artificial

ht gray 2: a variable color
u, Hawai. Am' naval station
panese) 3: a sneak attack; usu.

perle pearl 1: the lamellar
ly cooled iron-carbon alloy
stituent of both steel and cast
lit-ik' /adj/ 2: pearlescent surface or finish
ennisetum glaucum) that has
and is widely grown for its

bled onion used esp. in appe-
1: resembling, containing, or
rl 2: highly precious
everlasting (*Anaphalis* *ma-*
with white woolly hairs and
involucres

h jumping plant louse (*Psylla*
ie pear
/adj/ 1: having an oval
2 of a vocal tone: free from

ly South & Midland: being in
r. MF *paisant*, fr. OF, fr. *pais*
a district, fr. L *pagus* district)
of persons tilling the soil, as
a member of a similar class
on of low social status
s 2: the position, rank, or

PEA
[ME *pesecod*, fr. *pese* + *cod*
pod
a toy blowgun for shooting

dried peas 2: a heavy fog;
r. ML *peta* 1: TURF, 2b: 2
formed by partial decompo-
sses of the genus *Sphagnum*)

woman
ays or peavies (prob. fr. the
ant hook but with the end
sp. in handling logs

Algonquian origin; akin to
1: a large hickory (*Carya*
hard but brittle wood and is
e U.S. and in Mexico for its
ree 3: the smooth oblong

care) 1: prone to sin
or -los [Sp *peccadillo*, dim. of
peccatus, pp. of *peccare*]
the quality or state of being

eccans, prp. of *peccare* to
nse: SINNING 2: violating

the quality or state of being
eccans, prp. of *peccare* to
nse: SINNING 2: violating



peccary

peck \pek/ n [ME *pek*, fr. OF] 1 — see WEIGHT table 2: a large
quantity or number

peck vb [ME *pecken*, alter. of *piken* to pierce — more at PICK] vt 1
a: to strike or pierce esp. repeatedly with the bill or a pointed tool
b: to make by pecking (~ a hole) 2: to pick up with the bill ~
w 1 a: to strike, pierce, or pick up something with or as if with
the bill b: CARP. NAG 2: to eat reluctantly and in small bites (~
at food)

peck n 1: an impression or hole made by pecking 2: a quick
sharp stroke

peck-er \pek-er/ n 1: one that pecks 2 chiefly Brit: COURAGE
3: PENIS — often considered vulgar

pecking order or peck order n 1: the basic pattern of social
organization within a flock of poultry in which each bird pecks
another lower in the scale without fear of retaliation and submits
to pecking by one of higher rank 2: a social hierarchy

peck-anth-an \pek-anth-an/ adj [Seth Pecksniff, character in
Martin Chuzzlewit (1843-44) by Charles Dickens] selfish and
corrupt behind a display of seeming benevolence: SANCTIMONIOUS
pecky \pek-ē/ adj [peck] 1: marked by lenticular or finger-
shaped pockets of decay caused by fungi (~ cypress) 2: contain-
ing discolored or shriveled grains (~ rice)

peo-tate \pek-tāt/ n: a salt or ester of a pectic acid
peo-ten \pek-ton/ n, pl pectens [NL *pectin*, *pecten*, fr. L, comb.
scallop] 1: *pl usu* *peo-tines* \-tā-nēz/: a body part that resem-
bles a comb; esp: a folded vascular pigmented membrane project-
ing into the vitreous humor in the eye of a bird or reptile 2:
SCALLOP-LA

peo-tic \pek-tik/ adj [F *pectique*, fr. Gk *pektikos* coagulating, fr.
pegnynal to fix, coagulate — more at PACT] of, relating to,
or derived from pectin

pectic acid n: any of various water-insoluble substances formed
by hydrolyzing the methyl ester groups of pectins

peo-tin \pek-tin/ n [F *pectine*, fr. *pectique*] any of various waters-
soluble substances that bind adjacent cell walls in plant tissues and
yield a gel which is the basis of fruit jellies; also: a commercial
product rich in pectins

peo-tin-aceous \pek-tā-nā-āsh-əs/ adj: of, relating to, or contain-
ing pectin

peo-tin-ate \pek-tā-nāt/ also *peo-tin-ated* \-nāt-əd/ adj [L *pec-*
tharus fr. *pectin*, *pecten* comb; akin to Gk *kten*, *kteis* comb, L
pectere to comb — more at PEE] having narrow parallel projec-
tions or divisions suggestive of the teeth of a comb (~ antennae)
— *peo-tin-ation* \pek-tā-nā-shən/ n

peo-tin-ase \pek-tā-nā-sās/ n, pl -ases, -āsēz/ n: an enzyme that
catalyzes the hydrolysis of pectins into pectic acids and methanol

peo-toral \pek-tō-rāl/ n: something worn on the breast

pectoral adj [MF or L, MF, fr. L *pectoralis*, fr. *pectus*, *pectus*
breast; akin to Toch *A pāsām* the two breasts] 1: of, situated in,
or on, or worn on the chest 2: coming from the breast or heart
as the seat of emotion

pectoral cross n: a cross worn on the breast esp. by a prelate

pectoral fin n: either of the fins of a fish that correspond to the
forelimbs of a quadruped

pectoral girdle n: the bony or cartilaginous arch that supports the
forelimbs of a vertebrate

pectoral muscle n: one of the muscles which connect the ventral
walls of the chest with the bones of the upper arm and shoulder
and of which there are two on each side in man

peo-ulate \pek-yā-lāt/ vt *lat-ed*; *lat-ing* [L *peculatus*, pp. of
peculari, fr. *peculium*] EMBEZZLE — *peo-ulation* \pek-yā-lā-
shən/ n — *peo-ulate* \pek-yā-lāt/ n

peo-ular \pek-yū-lār/ adj [ME *peculier*, fr. L *peculiaris* of private
property, special, fr. *peculium* private property, fr. *pecu* cattle; akin
to L *pecus* cattle — more at PEE] 1: belonging exclusively to one
person or group 2: felt to be characteristic of one only: DISTINCT-
TIVE 3: different from the usual or normal: a: SPECIAL, PARTICULAR
b: CURIOUS c: ECCENTRIC, QUEER *syn* see CHARACTERISTIC,
STRANGE — *peo-ularity* adv

peculiar n: something exempt from ordinary jurisdiction; esp: a
church or parish exempt from the jurisdiction of the ordinary in
whose territory it lies

peo-ular-ty \pek-yū-lār-ē-tē, -yū-lār-ē-tē/ n, pl -ties 1: the
quality or state of being peculiar 2: a distinguishing characteris-
tic 3: ODDITY, QUIRK

peo-ular-ly \pek-yū-lār-ē-lē/ adj [L *peculiaris*, fr. *pecunia* money
— more at PEE] 1: consisting of or measured in money 2: of or
relating to money: MONETARY *syn* see FINANCIAL — *peo-ularity*
adv

ped \ped/ n [Gk *pedon* ground; akin to L *ped*, *pes* foot — more at
FOOT] a natural soil aggregate

PED abbr doctor of physical education

ped-see PAID

ped-see also *ped* or *pede* \pēd/ n comb form [L *ped*, *pes*] foot
(maxilliped) (maxilliped)

ped-a-gog-ic \ped-ə-gāj-ik, -gāj-ē/ adj: of, relating to, or befitting
a teacher or education — *ped-a-gog-ical* \-i-kəl/ adj — *ped-a-*
-gog-ically \-i-kē-jē/ adv

ped-a-gog-ics \-i-kās/ n pl but sing in constr: PEDAGOGY

ped-a-gog-ue \ped-ə-gāj-ē/ n [ME *pedagogue*, fr. MF, fr. L
paedagogus, fr. Gk *paedagogos*, slave who escorted children to
school, fr. *paid* -paid- + *agogos* leader, fr. *agein* to lead — more at
AGENT] TEACHER, SCHOOLMASTER

ped-a-gog-y \ped-ə-gāj-ē/ n, pl -gāj-ēs, -gāj-ēz/ n: the art,
science, or profession of teaching; esp: EDUCATION 2:
ped-al \ped-ī/ n [MF *pedale*, fr. It, fr. L *pedalis*, adj.] 1: a lever
pressed by the foot in the playing of a musical instrument (as an
organ or piano) 2: a foot lever or treadle by which a part is acti-
vated in a mechanism

ped-al adj [L *pedalis*, fr. *ped*, *pes*] 1 \ped-ī/ also \pēd-/ of or
relating to the foot 2 \ped-ē/ of, relating to, or involving a pedal
ped-al \ped-ī/ vb *ped-aled* also *ped-alled*; *ped-aling* also *ped-alling*
\ped-ī-līŋ/ *ped-līŋ* w 1: to use or work a pedal 2: to ride
a bicycle ~ vt: to work the pedals of

pedal disk n: the base by which a coelenterate polyp (as a sea
anemone) is attached to the substrate

ped-al-fer \pō-'dal-fər, -fē(s)r/ n [Gk *pedon* ground + E *himen* +
L *ferrum* iron]: a soil that lacks a hardened layer of accumulated
carbonates — *ped-al-fer-ic* \pēd-'dāl-fēr-ik/ adj

ped-al-note \ped-ī-'nōt/ n [fr. the playing of the lowest notes on
the organ by means of pedals] 1: PEDAL POINT 2: one of the
lowest tones that can be sounded on a brass instrument being an
octave below the normal usable range and representing the funda-
mental of the harmonic series

pedal point n: a single tone usu. the tonic or dominant that is
normally sustained in the bass and sounds against changing har-
monies in the other parts

pedal pushers n pl: women's and girls' calf-length trousers

ped-ant \ped-nt/ n [MF, fr. It *pedante*] 1 ois: a male school-
teacher 2 a: one who parades his learning b: one who is
unimaginative or who unduly emphasizes minutiae in the presenta-
tion or use of knowledge c: a formalist or precisionist in teaching

ped-an-tic \pī-'dant-ik/ adj 1: of, relating to, or being a pedant
2: narrowly, stodgily, and often ostentatiously learned (~ con-
cern with detail) — *ped-an-ti-cal-ly* \-dant-ī-kē-jē/ adv

syn PEDANTIC, ACADEMIC, SCHOLASTIC, BOOKISH *shared meaning*
element: too narrowly concerned with learned matters

ped-an-try \ped-n-trē/ n, pl -ries 1: pedantic presentation or
application of knowledge or learning 2: an instance of pedantry

ped-dle \ped-ī/ vb *ped-dled*; *ped-dling* \ped-līŋ, -lī-ŋ/ [back-
formation fr. *peddler*, fr. ME *pedlere*] vt 1: to travel about with
wares for sale; *broadly*: SELL 2: to be busy with trifles: FIDDLE
~ vt 1: to sell or offer for sale from place to place: HAWK 2: to
deal out or seek to disseminate

ped-dler or ped-lar \ped-lār/ n: one who peddles; as a: one who
offers merchandise (as fresh produce) for sale along the street or
from door to door b: one who deals in or promotes something
intangible (as a personal asset or an idea) (influence ~)

ped-dling \ped-līŋ, -lī-ŋ, -lī-ŋ/ adj [alter. of *peddling*]: PETTY
ped-er-ast \ped-ə-'rās-t/ n [Gk *paiderastes*, lit., lover of boys; fr.
paid -paid- + *erastes* lover, fr. *erasthai* to love — more at EROS]
1: one that practices anal intercourse esp. with a boy — *ped-er-ast-*
ical \ped-ə-'rās-ik/ adj — *ped-er-ast-ry* \ped-ə-'rās-tē/ n

pedes pl of PES

ped-es-tal \ped-əs-'tāl/ n [MF *pedestal*, fr. Olt *pedestallo*, fr. *pie di*
stallo foot of a stall] 1 a: the support or foot of a late classic or
neoclassic column — see COLUMN illustration b: the base of an
upright structure 2: BASE, FOUNDATION 3: a position of esteem
pedestal vt *-taled* or *-talled*; *-tal-ing* or *-tal-ing*: to place on or
furnish with a pedestal

ped-es-tri-an \pō-'des-trē-ən/ adj [L *pedestr*, *pedester*, lit., going
on foot, fr. *pedes* one going on foot, fr. *ped*, *pes* foot — more at
FOOT] 1: COMMONPLACE, UNIMAGINATIVE 2 a: going or per-
formed on foot b: of, relating to, or designed for walking (a ~
mail)

pedestrian n: a person going on foot: WALKER

ped-es-tri-an-ism \-jz-əm/ n 1 a: the practice of walking b:
fondness for walking for exercise or recreation 2: the quality
or state of being unimaginative or commonplace

ped-i-at-ric \pēd-ē-'ā-trik/ adj: of or relating to pediatrics

ped-i-at-ric-i-an \pēd-ē-'ā-trish-ən/ or *ped-i-at-rist* \pēd-ē-'ā-trist,
-pē-dī-ō- / n: a specialist in pediatrics

ped-i-at-rics \pēd-ē-'ā-triks/ n pl but sing or pl in constr: a branch
of medicine dealing with the development, care, and diseases of
children

ped-i-cab \pēd-ī-'kəb/ n [L *ped*, *pes* + E *cab*] a small 3-wheeled
hooded passenger vehicle that is pedaled

ped-i-cel \pēd-ē-'sēl/ n [NL *pedicellus*, dim. of L *pediculus*] 1: a
slender basal part of an organism or one of its parts; as a: a plant
stalk that supports a fruiting or spore-bearing organ — see CORYMB
illustration b: a narrow basal attachment (as of the abdomen of
an ant) of an animal organ or part 2: a small foot or footlike
organ — *ped-i-cel-ate* \pēd-ē-'sēl-ət/ adj

ped-i-cle \pēd-ī-'kəl/ n [L *pediculus*, fr. dim. of *ped*, *pes*] PEDICEL
— *ped-i-cled* \-kəld/ adj

ped-i-cu-late \pī-'dik-yō-lāt/ adj [deriv. of L *pediculus* little foot,
pedicel]: of or relating to an order (Pediculati) of marine teleost
fishes with jugular ventral fins, pectoral fins at the end of an arm-
like process, and part of the dorsal fin modified into a lure — *pe-*
-diculate n

ped-i-cu-lo-lous \pī-'dik-yō-'lō-səs/ n [NL, fr. L *pediculus* louse]: in-
festation with lice

ped-i-cu-lous \pī-'dik-yō-'lō-səs/ adj [L *pediculosis*, fr. *pediculus*]: in-
fested with lice: LOUSY

ped-i-cure \pēd-ī-'kyūr/ n [F *pedicure*, fr. L *ped*, *pes* foot +
curare to take care, fr. *cura* care — more at CURE] 1: one who
practices chiropody 2 a: care of the feet, toes, and nails b: a
single treatment of these parts — *ped-i-cur-ist* \pēd-ī-'kyūr-ist/ n

ped-i-gree \pēd-ē-'grē/ n [ME *pedegre*, fr. MF *pie de gre* crane's
foot; fr. the shape made by the lines of a genealogical chart] 1: a
register recording a line of ancestors 2 a: an ancestral line
b: LINEAGE b: the origin and the history of something 3 a: a
distinguished ancestry b: the recorded purity of breed of an
individual or strain — *ped-i-greed* \-grēd/ adj

ped-i-ment \pēd-ē-'mənt/ n [obs. E *periment*, prob. alter. of E
pyramid] 1: a triangular space forming the gable of a 2-pitched
roof in classic architecture; also: a similar form used as a deco-
ration 2: a broad gently sloping bedrock surface with low relief
that is situated at the base of a steeper slope and is usu. thinly cov-

e about • kitten or further a back a bake a cot, cart
a out ch chin e less e easy e gift i trip i life
j joke g sing o flow o flaw o coin th thin th this
u loot a foot y yet yu few yu furious zh vision

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